

1937

Department of *Rev*

OFFICE of the Sec. of Rec.

STATION Madras.

$$\begin{array}{r} 5.20 \\ 1.00 \\ \hline 20.9 \end{array}$$

mis No. 2978

Dated 20. 9. 37

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Des/ro HMK seems for an idea

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23.9.

To-day

REPAID

23 SEP 1937

69

Pages in the file

(SECRET)

Suits- (Bellary)- Hospet Tk. Avanimadugur rye. s No. 186-Dt

Municip's court, no pet. ownership - got nickle d and

party - Orders passed.

REVENUE DEPARTMENT

In reply, please quote number, date and short title.

Received

Registered

From (Name) J.W. Pritchard Esq., I.C.S.,

(Designation)

Collector,

Post Box _____, (STATION) _____ Ballary.

Telegraphic Address _____

To

The Secretary to the Board of Revenue,

Madras.

Ref.C. No. 1258/37, dated 4th Sept. 1937.
Sir,

Suits - O.S.No. 152/37 on the file of the District Munsif, Hospet - Hospet Taluk - Avanimadugu village S.No. 186 - plaintiff Dupada Basamma of D. Hirehal village.

ENCLOSURES

Enclosed
8

SPARE COPIES

I enclose herein a copy of the suit notice and plaint copy received from one Dupada Basamma of D. Hirehal village of Rayadrug Taluk. The plaintiff alleges that one Virupamma the deceased pattadar of S.No. 186 of Avanimadugu village of Hospet Taluk executed a registered mortgage deed in her favour on 13th June 1930 for Rs.200/- mortgaging S.No. 186. The mortgagee died intestate without leaving any heirs in 1934. The property ought to have escheated but the Tahsildar, Hospet in his R.T.R. 29/45 (original file enclosed) ordered the transfer of Registry in the name of one Bheemasenappa. A genealogical tree showing the relationship of the deceased to the said Bheemasenappa is enclosed. It is seen that the deceased was Bheemasenappa's father's sister's son's wife. It is also seen that the 1st defendant Bheemasenappa stated during the R.T.R. enquiry that the land originally belonged to one Gaveppa. After his death its patta was transferred in the name of his wife and heir Kelemma who died some years ago. At the time of Resettlement in 1921 the patta of the land was transferred in the name of Virupamma the sister of Kelemma, vide page 13 of the Resettlement Register enclosed. Ever since Kelemma's death, the said Virupamma was enjoying the land until she died in 1934.

Virupamma



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11-9

p30f

Transferred at p5f

p30f

(E)

p270f

p15 (B)

2

2

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Virupamma was therefore in adverse possession for over 12 years. The local Government ^{pleader} who was consulted reports that it is not worthwhile to pursue the matter further as the suit claim plus the costs amount to Rs. ~~55~~ 350/- which is also the value of the land as estimated by the Tahsildar. I therefore solicit the instructions of the Board in the matter. A copy of the letter of Tahsildar, Hospet dated 27th July 1937 together with a copy of the letter and Draft Written Statement dated 29th August 1937 received from the Government Pleader, Bellary is enclosed. The suit is posted for hearing to 27th September 1937.

p13cj

✓
p17cj

p17cj

M. L. S.
9-8-37

For Collector.

Enclos: 8.

Copy to the Government Pleader, Bellary.

JRM/6-9.

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3

Copy of letter Ref. No. 60 dated 19th March 1937
from Ijari Takappa, Vakil, Hospet to the Secretary of State
for India in Council represented by the Collector of Bellary.

Notice on behalf of Dhupada Basamma, widow of
Basappa of about 50 years of age, Devanga caste weaver by
profession and resident of Dandin Hirehal Rayadrug taluk,
Bellary district under section 80 C P C.

I am instructed by my client to issue the following
notice.

On Virupamma, wife of Muddalapuram Veerappa of
Dandin Hirehal, executed a registered mortgage deed in favour
of my client on 13-6-30 for Rs. 200/- The said Virupamma
borrowed the amount from my client for legal necessity and
for purposes binding on the property and mortgaged the
schedule mentioned land of her husband. The said Virupamma
died on 4-12-34 leaving no heirs of her husband. One
Dheomasenappa of Bellary has taken the schedule mentioned
property to his possession alleging that the land belonged to
Virupamma's sister's husband and that he was his reversioner,
but his allegations are false and he has no manner of right
to the said land. The Government is the heir to the estate
of the husband of Virupamma.

Please take notice that a mortgage suit will be
filed by my client impleading you as a party, to recover the
mortgage amount from the mortgaged property, if the amount is
not paid within 2 months from the receipt of this notice.
The causes of action for the proposed suit arose on 13-6-30,
the date of the mortgage bond and on 4-12-34 the date of the
death of said Virupamma.

Schedule

Schedule.

Land in Avinamadugu village (Hospet taluk) of Bellary
Sub Registration District, in Bellary Anantapur Registration
District.

Sircar Wet land.	S.No.	Extent.	Assessment.	Kulam.
Do.	186	Ac. 2-56	Rs. 12-13-0	43.

5

Translation of Plaint.

I. Rs 18 has been collected from late Virupamma on 13-6-31 towards the interest on the mortgaged deed in this suit. The entry to this effect has also been made in the document.

II. The mortgager Virupamma died on 4-12-1934 so far as the plaintiff knows the said Virupamma has no heirs. So the Government are her heirs. The Secretary of State therefore is made the 2nd Defendant. The Collector of Bellary was also given notice on 19-3-37. The notice and its acknowledgment are produced.

III. The suit property is for the present in the enjoyment of Antapuram Bheemasenappa. So he is made the 1st defendant. He too was given notice to which he has replied making false allegations. The suit land belonged to the husband of late Virupamma. She is the wife of late Mudlapuram Veerappa. She is the only heir to him. The produce of the land was not sufficient even for paying land revenue. The said Virupamma had no other means of income for her maintenance. She had to contract debt for her living and for clearing minor debts, from me. So I am entitled to realise the amount from the suit property.

Principal Rs 200-0-0

Interest on this	
amount from 13-6-30	
to 4-6-37 @ 12 annas	125-8-0

	325-8-0

Amount paid back	18-0-0

	307-8-0
	7-8-0

Plaintiff's suit	300-0-0
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(True Copy)

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2

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	325-8-0
 Amount paid back	 18-0-0

	3078-0
	7-8-0

Plaintiff's suit	300-0-0

(True Copy)

mu

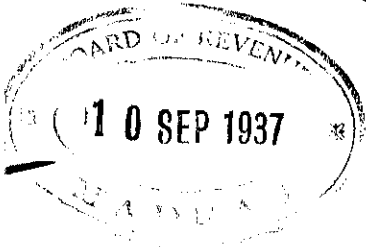
9

Copy of letter R.C.No. 1484/37, dated 27th July 1937 from the Tahsildar, Hospet to the Collector, Bellary.

--

Ref.- Your R.C. 1258/37, dated 2-7-1937/[&]D.3-7-1937.

--



(3) In the Resettlement Register, the registry of the land S.No. 186 is found in the name of the pattadar Virupamma, the deceased. The registry was based on the enquiry made in 1921 during resettlement. During resettlement enquiry it was found that Virupamma only had enjoyment in the land. Please see page 13 of the Resettlement changes register (herewith enclosed). My personal enquiries in this and the adjoining villages also reveal that Virupamma had been in the possession and enjoyment of the land for over 12 years. The record of enquiry is enclosed. The land is very near the village and tank, and its value is estimated at Rs.150/- per acre. The extent of the land is -- 2-56 acres. As already reported in my R.O.C. 1484/37, dated 29-5-1937 it is worth not less than Rs.350/-.

(E) 2. The office R.T.R. file 29/35 is with the Revenue Inspector, Torngal. It was sent to him for enquiry. As he did not attend to it early I made enquiries. I have called on him to resubmit papers. He has not resubmitted them in spite of several reminders. He is reminded again, in the matter. They will be submitted to you on its receipt from him.

/True Copy/

JRM/6-9.

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11

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/True Copy/

JRM/6-9.

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13
Office of the Government Pleader,
Bellary,
Dated. 29th August 1937.

From

M.R.Ry. S. Anjaneyulu Garu B.A., B.L.,
Government Pleader, Bellary.

To

The Collector, Bellary.

Ref:- C. 1258/37 dated 27-8-37-Suit- O.S.No. 152/37= District
Munsiff's court, Hospet- S.No. 186- Avinamadugu village.

Sir,

I herewith send you the draft written statement as required. The record of enquiry does not show that Virupamma left any property other than the suit land. It is not suggested that the suit debt is not binding on the estate of Virupamma. The suit claim is for Rs 300/- and the total amount is sure to be not less than Rs 350 including costs of the suit. The value of the land, as estimated, is Rs 350. I do not know if you think it worth while to trouble yourself about the land.

2. The question of title between the first defendant and the Government is to be fought out in a separate suit, as between themselves. So far as the present suit is concerned there is really no defence. I have merely called upon the plaintiff to prove the existence of the debt and put forward the claim of the Government. I leave the matter to your discretion. The records sent to me are herewith returned along with the plaint copy.

(True Copy)

15

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sent to me are herewith returned along with the plaint copy.

(True Copy)

mu

In the court of the District Munsiff, Hospet.

O.S.No. 152/37.

Between:-

Dhupada Basamma and

1. Anthapuram Bhimasenappa.

2. The Secretary of State for India
in Council represented by the
Collector of Bellary. Defendants.

Written statement on behalf of 2nd Defendant.

The 2nd Defendant begs to submit as follows:-

1. That this defendant is ~~not~~ ^{now} aware of the suit debt, that he therefore puts the plaintiff to strict proof thereof.
2. That, as stated in para 2 of the plaint, this defendant is entitled to the suit land as the last reversioner of the late Virupamma. There is no other nearer reversioner to her. Virupamma was in adverse possession and enjoyment of the suit land for over 16 years before her death as full owner. She was found to be in enjoyment of the land even prior to 1921 as owner as shown by the entry in the changes register of Avinamadugu village of 1921. Her name was entered in the Resettlement register as the owner and pattadar of S.No. 186. No objection to such an entry was taken by the 1st defendant or any other and the 1st defendant is estopped from questioning the correctness of the entry.
3. The 1st defendant is not the reversioner to the last owner of the land, namely Virupamma and is not entitled to claim it from any point of view.
- 5/ 4. The plaintiff is not entitled to any personal decree against this defendant. The only relief he could claim is against the mortgaged property.

(True Copy)

mt

In the court of the District Munsiff, Hospet.

O.S.No. 152/37.

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3. The 1st defendant is not the reversioner to the last owner of the land, namely Virupamma and is not entitled to claim it from any point of view.
4. The plaintiff is not entitled to any personal decree against this defendant. The only relief he could claim is against the mortgaged property.

(True Copy

mu

మ.॥ రా॥ ²¹ హా సపేతు ది॥ ము॥ కోర్టునల్ల.

Original Suit No. 152 of 1937

Between

ధూపద బసమ్మ { వాది

And

లింబాపురం భీమసేనప్ప వగైరా ప్రతివాది.

వాదిపర ప్లేంతు శి॥ ప్రొ॥ కో॥ ఆర్డరు V॥ రూ॥
ప్రకార

1. వాది వివర.

శ్రీరియత్ పూరివాసకు వండ్ల వయస్సు. కుల. జీవన వాసస్థలం
నంబరు.

1. ధూపద. గండ మేజకు. దేవాంగ. నేమా రుదినహారే
బసమ్మ బసప్ప. వల్లి. హళు,
రాచాకు-
రాయదుర్గ.

వాదిమేర ప్రొసెస్సు జాంమాదిద చిత్త్రస్సు -
ఇ జాం లాకప్ప, జి.యె., బయల్.

2. ప్రతివాది వివర.

శ్రీరియత్ పూరివాసకు వండ్ల వయస్సు. కుల. జీవన వాసస్థలం
నంబరు.

1. లింబాపురం, గిరియప్ప. మేజకు. లిగ వల్లి బెళ్లారి.
భీమసేనప్ప. నాల జరా
యిది.

2. Secretary of State for India in Council
represented by Collector of Bellary,
Bellary.

3. ఈ తెల్లగ నమూనానిక ప్రతివాదియ స్థా
స్థిగజగ వాది మాట్టుగే జాగిరుకానె.

4. ఆయకద వచ్చులు:—

అయకద
తేది.

13-6-30.

మాట్టుగే
జాహాసకు.

ముత్తాపురం వీరప్పనభార్యవిరుపమ్మ.

మాట్టుగే
జాహాసకు.

ధూపవ బసమ్మ.

అయకద
ముత్త.

Rs. 200-0-0.

బుద్ధిధర.

విం|| క్కే శ్రీకాం 0-12-0 ప్రకార బుద్ధి.

Bellary District Hoopet Sub Register.
అఫ్ఫీసగ సీరిక అవినమదుగు గ్రామదల్లు
రుద తేటు విరుపమ్మన బజ్జెమోను,--
ఈ 43 సర్కారు తరి S.No. 186, 2-56,
తరం 12-130.

అయకా
వివ
రగలు.

దావాపత్రం బుద్ధిగాని తేటు విరుపమ్మ
నాక నిండు 13-6-31 రల్లు రూ. 18-0-0 చెల్లు
బండులురువద. సద్రి చెల్లు దావాపత్రం
ల్లనమోదు అగిదె.

|| దావాపత్రం బరసికొట్ట విరుపమ్మను
తా|| 4-12-34 రల్లు గతిసిరువళు: సద్రి
తేటు విరుపమ్మగ వాదిగ తిళికమట్టుగె
వాల్చు దారరు మారులుల్లవెండు తిళు
బందిదె. అద్దరింక సర్కారదవరు వారస
దారరు అగిలురుతాకె, కారం The Secre-
-tary of State for India in Council
represented by the Collector of Bellary,

అవరన్న 2వే ప్రతివాదియన్నాగి సేరిసిదె. ముత్తు
 సద్రి జిల్లా (కలెక్టర్) Collector తివరిగె 19-3-37
 రల్ల నోటసు సహా కొట్టదె. సద్రి నోటసు ముత్తు
 తిదర Acknowledgment. అవరన్న హా బరుమాదిదె.

III దావా అయత ఆస్తిగలు సద్దొదల్ల తింరాపురద
 భీమసేనప్పసెంబువన స్వాధీనదల్ల అరువదరింద
 తివనన్ను 1వే ప్రతివాదియన్నాగి సేరిసిదె. ఇవనిగె
 సహా నోటసు కొట్టు అయత్తు. ముత్తు తివను
 సుల్భ విషయ గళందకు తిద Reply Notice
 కొట్టు తువను

IV దావా అయత ~~దావా~~ జమను లేటు విరుప
 మ్మన గందనిగె సేరిడ్డు. సద్రి లేటు ముత్తుపురద
 వీరప్పనిగె విరుపమ్మనిగె హొందతియను, అవల్లబ్బ
 లే తివనిగె దారస దారలు. దావా అయతద జమీ
 నుండి బరుతిడ్త తుత్తున్నపు కలవువరుళ్ల
 సర్కాంవా తొక్క సహా సాలు తిడ్దిల్లవాడ్డు వరింద
 రిందలు సద్రి విరుప్పనిగె పోకే తుత్తున్నలుల్లదె
 అడ్డుతరిందలు తిదగె తుపజీవనక్కాగియు,
 ముత్తు తాను యాగి తివశ్చోక శుర్బు గళగాగియు,

ప్రస్తుత
 ఇరువ-
 హాళిమోచె

~~కలవరల్ల మాదిదె తన్నువుప జీవనక్కాగియు, ముత్తు~~
 దాను మొలన దారల గళగాగి కలవరల్ల
 మాదిదె చిల్లర సాల గళన్ను తేరిసువదక్కా
 గియు వాదియల్ల దావా ను సాలవన్ను లేటు
 విరుపమ్మను మాదిడ్తలు అడ్డరింద దావా
 హాళియన్ను అయత ఆస్తియింద బరమాది
 కొల్లలు వాది హాక్కు దారలాగి అరుత్తాల్లె.

రిసె. రూ. 200-00.

9) వాణిగేయావ
రీతిపానుబంధి
కులై.

(36-30 లాగాయితు 4-6-37)
వరిగ రూ. 200-00 మార్చి
తిం|| శేక 1 కే 0 12 చ ప్రకార
బుద్ధి

125-80.
325-80

చెల్లువన 18-00

307-80.

దాని సూట

7-8-0

300-00.

5. కొర్పు ప్లేసుగా గియా, కొర్పు ప్లాంధి
క్షేకగా గియా, అంతా వక్కు వాణిమానిద -
మొత్త రూ. 300-00 గురి

6. దావా సూత గాని వాణిప్రదివాణియన్న
ప్రసేకసారి కేళి దాగ్ కొడలెల్ల. శివ
బ్బిక్క (36-30, 36-31, 19-3-37) తా||
Dilling + అవినమదుగు గ్రామదల్లి తారణ
వానిరుత్తద.

7. వాణియ ప్రా క్తనెగలు.

1. దావా మొత్త కొర్పు లుచ్చు ముందె ..
అనువబుద్ధి వాణిగ ప్రతివాణిగలు కొడతక్క
దంతల తప్పిదల్ల అయికాస్థియన్న యాలం
'వా కబే కంతలూ,

2. సదరి యాలంనల్ల బుందమొత్త దింద
యాలయతద సూత పూర్త తొనికల్ల తేరిస
దిద్దల్ల మిక్క మొత్త వన్న ప్రతివాణి యింద
ఖండ్గా వసూలమాదువదక్క నిత్ర, అల్లద,

25

దరఖాస్తు తాదా వాదిగ హక్కులు
వంతె ఇతి మాద సేకండు ప్రాశ్నె.

ఈ ప్లేంట్ లో పాస్ పోరాదల్లి సహజ
సంగతిగలు ననగె విజయమట్టెగె నిజమందు
వాది అదనామ గావుదల్లి
హేతుత్తేన.

ద. 0

(31) C. R.

D. K.

వాది శి॥ ప్రొ॥ కో॥ అర్జును గూలు
9 ప్రకార దాఖలుమాదివ దస్తావేజు
అస్తు

శీరియత్	దస్తావేజు	దస్తావేజు	దస్తావేజు
వంతు.	కారణ.	పార్టీగలు	వివరము.

True copy/
J. Tanappa,
Pleader
166.37

list of papers presented
with the plaint.

1. Plaint.
2. Vakalat.
3. Batta Memo.
4. Bond.
5. Petition.
6. Affidavit.
7. Plaint Copy.

మ॥రా॥ హా సపేటె ది॥
కొరినల్.

OS. No. 152 / 1937

Between

వాది

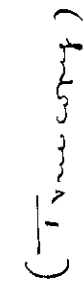
And

ప్రతివాది

Plaint Copy

వాది పర స్వీ. టు

Genological Tree.



9/9.

DRAFT FOR APPROVAL.

	Date.	Initials.	SUBJECT:—
When received for fair copying --			Suits - (Bellary) - Hospet Th - Aranimadugu
When copied --			vn - 500 186 - Dt Munsig's court, Hospet -
When examined..	2/1/9	20/1/9	ownership - got included as a party.
When signed --			Orders passed.
When despatched.			

READ AGAIN _____, dated _____ 19____.

" " _____ " _____ 19____.

READ ALSO:—

pic No. A 3193/27 From the colln of Bellary Ref C, No. 1252/27, dated 4.9.1937. — 9

" " _____ " _____ 19____.

" " _____ " _____ 19____.

Order Ms. No. 2975, dated 20.9.1937.
Resolution Rout.

The colln is requested to file in the court the draft written statement as revised and not to contest the suit further.

W
17.9.37
20.9.37

AL
20.9.37.

To the colln of Bellary with

(1) revised draft written statement

(2) To RTR 29/45

(3) Resettlement register

returned

C.D. party to be copied as revised in pencil

per Mr. Ashwin Swamy
Encls
Lm to Desu.

per Mr. Ashwin Swamy
20/9/37

To AS (etc)

Please see the

Current put up below

2/ From the copy of the
suit notice at p 3 and the
copy of the plaint at 4 of
it will be seen that the
suit relates to the landed
property coheated to the Govt.
and that the subject matter
of the suit is not 'transfer
of registry'. The current
may therefore be transferred
to A. section.

11-9-37
11/9/37

I. A. Please see to this.
Don't the club say's
approx. 1000
11/9/37?

A

all
11/9/37

Date of hearing 27-9-37.

M1

~~J.S. (A)~~

~~A.S. (L.R.)~~

pp 1-2 of.

pp 1-2 of

p 13 of

pp 1-2 of

pp 1-2 of

pp 1-2 of

Approved
J.S. (A)
17.9.37
M.1

Notable

Suits - (Bellary) - DC Munsif Hospet - Hospet

TA - Arani madugu vge - S No 186 -

Ownership - Govt included as a party

Instructions solicited.

A 2193/31. Def. CN. 1258/37 D/4.9.37 from the collr of Bellary.

To A.S. (L.R.)

Please see the collr's letter at pp 1-2 of.

2/ Vimpamma, the last registered holder of S No 186, died intestate without heirs in 1924. No escheat proceedings were taken but the land was registered in the name of Bhimasenappa. As observed by the C.P. it is not worth while to pursue the matter so far as the land is concerned as the suit claim (mortgage amount + interest) and the costs come to Rs 250 which is also the market value of the land as estimated by the Tahsildar.

The plaintiff (mortgagee) is not entitled to any decree against the Govt and the only relief he could claim is against the mortgaged property as stated in para 5 of the draft written statement.

The collr may be instructed ~~to~~ to file in the court the draft written statement. as revised & not to contest the suit further
15.9.37
17.9.37
J.S. (A)

2

To R.S (L.R)

Draft submitted.

W
17.9.07
14.9.07
20.7.07

CL
20.9.07

A.S (L.R)

W.D. 10.10.07